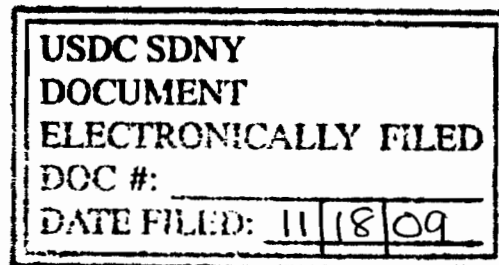


UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

----- X	
PASSLOGIX, INC.,	: Case No. 08 CV 10986 (PKL/MHD)
	:
Plaintiff,	:
	:
against	:
	:
2FA TECHNOLOGY, LLC, 2FA, INC.,	:
GREGORY SALYARDS and SHAUN CUTTILL,	:
	:
Defendants.	:
----- X	



PROPOSED ORDER

Upon hearing and consideration of the issues concerning certain anonymous emails addressed by the parties at the conference on November 9, 2009, it is hereby ordered as follows:


1. Passlogix is hereby authorized to obtain information concerning 2FA Technology LLC and its principals, Greg Salyards and Shaun Cuttill, from Yahoo by way of subpoena for the following information: All subscriber information relating to 2FA.com for the following dates: April 13, 2009; April 14, 2009; April 16, 2009; April 17, 2009; April 27, 2009; September 3, 2009; and September 4, 2009. Subscriber information includes, but is not limited to user access logs, server logs, user activity logs for email and website access, administrative logs, usage reports, including information relating to data transferred or accessed by the subscriber account, or any records or data relating to the identity of the subscriber and the computer(s) used to access the Yahoo service.
2. Passlogix is hereby authorized to obtain information concerning 2FA Technology LLC and its principals, Greg Salyards and Shaun Cuttill, from Time Warner and its Internet Service Provider Road Runner by way of subpoena for the following information:
 - a. All subscriber information relating to the IP Address 70.114.246.62 for the following dates: April 13, 2009; April 14, 2009; April 16, 2009; April 17, 2009; April 27, 2009; September 3, 2009; and September 4, 2009. Subscriber information includes, but is not limited to: the identity of the subscriber, his or her name, address and other contact or identifying information, server logs, usage reports, including information relating to data transferred or accessed by the subscriber account, or any records or data relating to the identity of the subscriber and the computer(s) used to access Time Warner Road Runner service.

- b. All subscriber information relating to the IP Address 70.114.204.202 for April 14, 2009. Subscriber information includes, but is not limited to: the identity of the subscriber, his or her name, address and other contact or identifying information, server logs, usage reports, including information relating to data transferred or accessed by the subscriber account, or any records or data relating to the identity of the subscriber and the computer(s) used to access Time Warner Road Runner service.
- c. All other IP Addresses assigned to the same Time Warner Road Runner account as the IP Addresses listed above.

3. Nothing herein shall require the production of the text of emails without further order of the Court.

SO ORDERED

11/18/09



Hon. ~~Peter K. Leisure~~
U.S.D.J. (magistrate)

declined DeLozier